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SENATE BILL 5678

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State of Washington                      53rd Legislature                      1993 Regular Session

By Senators Loveland, Newhouse, Deccio and Winsley

Read first time 02/09/93. Referred to Committee on Agriculture.

1            AN ACT Relating to exempting domestic wineries from chapter 20.01  
2 RCW; and reenacting and amending RCW 20.01.030.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 20.01.030 and 1989 c 354 s 38 and 1989 c 307 s 37 are  
5 each reenacted and amended to read as follows:

6            This chapter does not apply to:

7            (1) Any cooperative marketing associations or federations  
8 incorporated under, or whose articles of incorporation and bylaws are  
9 equivalent to, the requirements of chapter 23.86 RCW, except as to that  
10 portion of the activities of the association or federation that involve  
11 the handling or dealing in the agricultural products of nonmembers of  
12 the organization: PROVIDED, That the associations or federations may  
13 purchase up to fifteen percent of their gross from nonmembers for the  
14 purpose of filling orders: PROVIDED FURTHER, That if the cooperative  
15 or association acts as a processor as defined in RCW 20.01.500(2) and  
16 markets the processed agricultural crops on behalf of the grower or its  
17 own behalf, the association or federation is subject to the provisions  
18 of RCW 20.01.500 through 20.01.560 and the license provision of this  
19 chapter excluding bonding provisions: PROVIDED FURTHER, That none of

1 the foregoing exemptions in this subsection apply to any such  
2 cooperative or federation dealing in or handling grain in any manner,  
3 and not licensed under the provisions of chapter 22.09 RCW;

4 (2) Any person who sells exclusively his or her own agricultural  
5 products as the producer thereof;

6 (3) Any public livestock market operating under a bond required by  
7 law or a bond required by the United States to secure the performance  
8 of the public livestock market's obligation. However, any such market  
9 operating as a livestock dealer or order buyer, or both, is subject to  
10 all provisions of this chapter except for the payment of the license  
11 fee required in RCW 20.01.040;

12 (4) Any retail merchant having a bona fide fixed or permanent place  
13 of business in this state, but only for the retail merchant's retail  
14 business conducted at such fixed or established place of business;

15 (5) Any person buying farm products for his or her own use or  
16 consumption;

17 (6) Any warehouseman or grain dealer licensed under the state grain  
18 warehouse act, chapter 22.09 RCW, with respect to his or her handling  
19 of any agricultural product as defined under that chapter;

20 (7) Any nurseryman who is required to be licensed under the  
21 horticultural laws of the state with respect to his or her operations  
22 as such licensee;

23 (8) Any person licensed under the now existing dairy laws of the  
24 state with respect to his or her operations as such licensee;

25 (9) Any producer who purchases less than fifteen percent of his or  
26 her volume to complete orders;

27 (10) Any person, association, or corporation regulated under  
28 chapter 67.16 RCW and the rules adopted thereunder while performing  
29 acts regulated by that chapter and the rules adopted thereunder;

30 (11) Any domestic winery, as defined in RCW 66.04.010, licensed  
31 under Title 66 RCW.

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